

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION AT MEMPHIS**

**RIAR'S INC. AND SAMMIE RIAR, d/b/a  
RIAR'S CATERING COMPANY, INC.**

**Plaintiffs,**

**V.**

**STATE AUTOMOBILE MUTUAL  
INSURANCE COMPANY**

**Defendant.**

No. \_\_\_\_\_

## JURY DEMANDED

**NOTICE OF REMOVAL OF A CIVIL ACTION BY DEFENDANT,**  
**STATE AUTOMOBILE MUTUAL INSURANCE COMPANY**

The defendant, State Automobile Mutual Insurance Company (“State Auto”), incorrectly named as State Automobile Insurance Company, by and through counsel, pursuant to 28 U.S.C. § 1446, gives notice of removal of this action from the Circuit Court of Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee, and allege as follows:

1. On February 16, 2015, the plaintiffs filed suit in the Circuit Court for Shelby County, Tennessee, naming State Auto as defendant. A copy of the suit filed by the plaintiffs in the Circuit Court of Shelby County, Tennessee, under Docket Number CT-000680-15 is attached as Exhibit 1.

2. On April 30, 2015, State Auto was served with a Summons and Complaint through the Department of Commerce and Insurance as provided by Tenn. Code Ann. § 56-2-504 or Tenn. Code Ann. § 56-2-506.

3. No further proceedings have been had in the Circuit Court of Shelby County, Tennessee.

4. The entire amount of controversy exceeds, exclusive of interest and costs, the sum of Seventy-Five Thousand Dollars (\$75,000.00).

5. Diversity of citizenship exists between plaintiffs and State Auto.

6. This Court has original jurisdiction over the above-styled action, pursuant to the provisions of 28 U.S.C. § 1332 (a) and (c) and because the defendant, State Auto, is not citizen or resident of the State of Tennessee, and because the amount in controversy exceeds \$75,000.00 exclusive of interests and costs. Therefore this removal is proper, pursuant to 29 U.S.C. § 1441 (a).

WHEREFORE, State Auto gives notice of removal of this action from the Circuit Court of Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee.

Respectfully submitted,

s/E. Jason Ferrell

**PARKS T. CHASTAIN**

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Registration No. 24425

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of June, 2015, a true and correct copy of the foregoing Notice of Removal of a Civil Action was filed electronically. Notice of this filing will be sent by operation of the court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U. S. Mail. Parties may access this file through the court's electronic filing system.

Larry A. Weissman, Esquire  
5118 Park Avenue, Suite 600  
Memphis, TN 38117

s/ E. Jason Ferrell  
**E. JASON FERRELL**